

PATENT  
Docket No. 532782000100

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Assistant Commissioner for Patents, Washington, D.C. 20231, on February 12, 2003.

  
Jose Luna

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Eng Shi ONG, et al.

Serial No.: 09/991,151

Filing Date: November 16, 2001

For: PRESSURIZED LIQUID EXTRACTION  
METHOD AND APPARATUS

Examiner: S. Siefke

Group Art Unit: 1743

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TC 1700

**COMMUNICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This communication confirms a telephonic discussion between Examiner Siefke and the undersigned on February 11, 2003 wherein the Examiner suggested a re-submission of the Information Disclosure Statement (IDS) previously filed on May 17, 2002. The IDS had apparently not been matched with the file as of February 10, 2003.

Therefore, Applicants hereby re-submit a copy of the IDS submission, including copies of the references as listed on PTO Form 1449, as filed on May 17, 2002 in connection with the above-identified application. Applicants also submit a copy of the postcard receipt indicating May 21, 2002 as the official receipt date of the May 17, 2002 IDS submission.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 532782000100. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 12, 2003

Respectfully submitted,

By: 

Kawai Lau, Ph.D.

Registration No. 44,461

Morrison & Foerster <sup>LLP</sup>  
3811 Valley Centre Drive  
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Docket No.: 52462-20001.00	Atty: Kawai Lau
Serial No.: 09/991,151	Filing Date: November 16, 2001
Title: PRESSURIZED LIQUID EXTRACTION METHOD AND APPARATUS	
Date of Mailing: May 17, 2002, via First Class Mail	

Papers enclosed herewith:

1. Transmittal form (1 page);
2. Information Disclosure Statement (3 pages);
3. PTO form 1449 (3 pages);
4. References (39);
5. Return postcard

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Docket No.: 52462-20001.00	Atty: Kawai Lau
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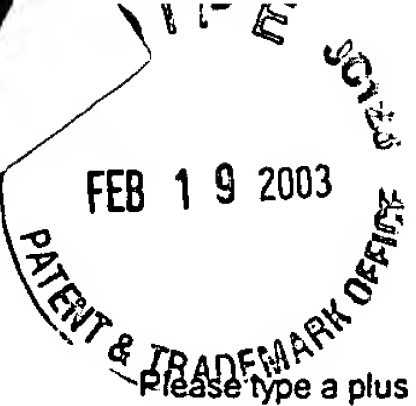
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FEB 19 2003



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PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

7

Application Number

09/991,151

Filing Date

November 16, 2001

First Named Inventor

E. S. ONG

Group Art Unit

1723

Examiner Name

To be assigned

Attorney Docket No.

524622000100

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## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement;  
PTO form 1449; and 39 references☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify  
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Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

or

Individual Name

Kawai Lau

Registration No. 44,461

Signature

Date

May 17, 2002

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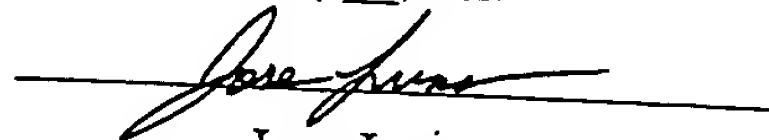
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PATENT  
Docket No. 524622000100

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Eng Shi ONG et al.


Serial No.: 09/991,151

Filing Date: November 16, 2001

For: PRESSURIZED LIQUID EXTRACTION  
METHOD AND APPARATUS

Examiner: To be assigned

Group Art Unit: 1723

#5  


2-24-03

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 524622000100. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 17, 2002

Respectfully submitted,

By: \_\_\_\_\_



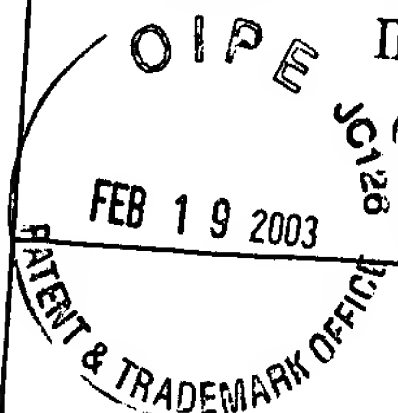
Kawai Lau

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Facsimile: (858) 720-5125

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number 524622000100

Application Number 09/991,151

Applicant

Eng Shi ONG et al.

Filing Date November 16, 2001

Group Art Unit 1723

Mailing Date May 17, 2002

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## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/1992	5,094,741	Frank et al.	210	198.2	
	2.	07/1992	5,133,859	Frank et al.	210	198.2	
	3.	08/1993	5,240,603	Frank et al.	210	198.2	
	4.	06/1994	5,322,626	Frank et al.	210	198.2	
	5.	08/1997	5,660,727	Gleave et al.	210	634	
	6.	07/1998	5,785,856	Gleave et al.	210	141	
	7.	12/1998	5,843,311	Richter et al.	210	634	
	8.	12/1999	6,001,256	Hawthorne et al.	210	634	
	9.	08/2000	6,111,108	Lopez-Avila & Benedicto.	546	48	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	10.	11/1990	0485668A1	EP			
	11.	06/1993	FR2706166	France			
	12.	09/1995	1,336,968	Canada			

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	13.	Benthin et al. "Pressurized Liquid Extraction of Medicinal Plants" Journal of Chromatography A (1999) 837:211-219
	14.	Bjorklund et al. "Pressurised Liquid Extraction of Persistent Organic Pollutants in Environmental Analysis" Trends in Analytical Chemistry (2000) 19(7):434-445
	15.	Chen et al. "Analysis of Coptisine, Berberine and Palmatine in Adulterated Chinese Medicine by Capillary Electrophoresis-Electrospray Ion Trap Mass Spectrometry" Journal of Chromatography A (2000) 866:273-280

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



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PTO/SB/08 (2-92)

Sheet 2 of 3

Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 524622000100

Application Number 09/991,151

Applicant

Eng Shi ONG et al.

Filing Date November 16, 2001

Group Art Unit 1723

Mailing Date May 17, 2002

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16.	Dionex Application Note 335 (2000) Dionex Corporation: Sunnyvale, CA
17.	Ezzell et al. "A Comparison of Accelerated Solvent Extraction with Conventional Solvent Extraction for Organophosphorus Pesticides and Herbicides" LCGC (1995) 13(5):390-398
18. ✓	Hawthorne et al. "Comparisons of Soxhlet Extraction, Pressurized Liquid Extraction, Supercritical Fluid Extraction and Subcritical Water Extraction for Environmental Solids: Recovery, Selectivity and Effects on Sample Matrix" Journal of Chromatography A (2000) 892:421-433
19. f	Ji et al. "Determination of the Alkaloid Content in Different Parts of Some <i>Mahonia</i> Plants by HPCE" Pharmaceutica Acta Helvetiae (2000) 74:387-391
20.	Jimenez-Carmona. "Comparison of Continuous Subcritical Water Extraction and Hydrodistillation of Marjoram Essential Oil" Journal of Chromatography A (1999) 855:625-632
21. ψ	Kelly et al. "Investigation into the Effects of Sample Dissolving Solvents and Sample Matrices on the Separation Obtained in Capillary Electrophoresis- Part I FSCE" Journal of High Resolution Chromatography (1998) 21:193-196
22. √	Kelly et al. "Investigation into the Effects of Sample Dissolving Solvents and Sample Matrices on the Separations Obtained in Capillary Electrophoresis- Part II. MECC" Journal of High Resolution Chromatography (1999) 22:55-58
23.	Kubatova et al. "Comparison of Subcritical Water and Organic Solvents for Extracting Kava Lactones from Kava Root" Journal of Chromatography A (2001) 923:187-194
24.	Li et al. "Characterization of 10 Species of <i>Mahonia</i> by Capillary Electrophoresis" Chromatographia (2000) 51(5/6):357-361
25.	Liebich et al. "Analysis of Traditional Chinese Anticancer Drugs by Capillary Electrophoresis" Journal of Chromatography A (1998) 795:388-393
26. √	Liu et al. "Determination of Coptisine, Berberine and Palmatine in Traditional Chinese Medicinal Preparations by Capillary Electrophoresis" Journal of Chromatography (1993) 639:323-328
27.	Luque de Castro. "Towards More Rational Techniques for the Isolation of Valuable Essential Oils from Plants" Trends in Analytical Chemistry (1999) 18(11):708-716
28.	Macnaughton et al. "Rapid Extraction of Lipid Biomarkers from Pure Culture and Environmental Samples Using Pressurized Accelerated Hot Solvent Extraction" Journal of Microbiological Methods (1997) 31:19-27
29. t	Miller et al. "Solubility of Liquid Organic Flavor and Fragrance Compounds in Subcritical (Hot/Liquid) Water from 298 K to 473 K" Journal of Chemical and Engineering Data (2000) 45:315-318
30.	Ong et al. "Pressurized Liquid Extraction of Berberine and Aristolochic Acids in Medicinal Plants" Journal of Chromatography A (2000) 313:57-64
31.	Ong et al. "Determination of Aristolochic Acids in Medicinal Plants (Chinese) Prepared Medicine Using Capillary Zone Electrophoresis" Electrophoresis (2001) 22:2236-2241

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SB/08 (2-92)

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Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 524622000100

Application Number 09/991,151

Applicant

Eng Shi ONG et al.

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Group Art Unit 1723

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32. Ong et al. "Determination of Berberine and Strychnine in Medicinal Plants and Herbal Preparations by Pressurized Liquid Extraction with Capillary Zone Electrophoresis" Electrophoresis (2001) 22:2723-2729

33. Richter et al. "Accelerated Solvent Extraction: A Technique for Sample Preparation" Analytical Chemistry (1996) 68:1033-1039

34. Richter. "The Extraction of Analytes from Solid Samples Using Accelerated Solvent Extraction" Current Trends and Developments in Sample Preparation (1999) 17(6s):22-28

35. Richter. "Extraction of Hydrocarbon Contamination from Soils Using Accelerated Solvent Extraction" Journal of Chromatography A (2000) 874:217-224

36. Richter et al. "New Environmental Applications of Accelerated Solvent Extraction" LCGC (2000) 18(10):1068-1073

37. Richter et al. "Determining Organophosphorus Pesticides in Foods Using Accelerated Solvent Extraction with Large Sample Sizes" LCGC (2001) 19(4):408-412

38. Schantz et al. "Evaluation of Pressurized Fluid Extraction for the Extraction of Environmental Matrix Reference Materials" Analytical Chemistry (1997) 69:4210-4219

39. Schnitzer et al. "Organic Matter Extraction from Soils with Water at High Pressure and Temperatures" Soil Science Society of America Journal (1991) 55:102-108

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1743

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/991,151	
	Filing Date	November 16, 2001	
	First Named Inventor	Eng Shi ONG	
	Group Art Unit	1743	
	Examiner Name	S. Siefke	
Total Number Of Pages In This Submission	11	Attorney Docket No.	532782000100

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication; Copy of Information Disclosure Statement, Form 1449, Transmittal and Return Postcard; 39 References; and Return Postcard
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Kawai Lau, Registration No. 44,461 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500; San Diego, CA 92130-2332
Signature	
Date	February 11, 2003

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